

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
LOUIS EADS,)
)
Defendant.)

8:07CR148

ORDER

This matter is before the court on the motion to continue by defendant Louis Eads (Eads) (Filing No. 22). The government has no objection to the motion. On August 16, 2007, Eads acknowledged to the court that he agreed to the motion and understood the additional time would be excluded under the Speedy Trial Act. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. Eads's motion to continue trial (Filing No. 22) is granted.
2. Trial of this matter is re-scheduled for **November 26, 2007**, before Chief Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **August 16, 2007 and November 26, 2007**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 16th day of August, 2007.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge